IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

THURSDAY, THE 22ND NOVEMBER 2007 / 1ST AGRAHAYANA 1929

WP(C).No. 32368 of 2007(C)

PETITIONER:

MAHESH MARIKKAL,S/O. GOVINDA
KOROTH HOUSE, VARAM P.O. MUNDAYAD.

BY ADV. SRI.M.RAMESH CHANDER

RESPONDENTS:

1. BOARD OF TRUSTEES OF SREE MOOKAMBIKA KSHETHRAM REP. BY ITS CHAIRMAN PALLIKKUNNU, KANNUR-4
2. THE ASSISTANT COMMISSIONER, THALASSERY DIVISION, HR &CE (ADMN) THALASSERY.
3. THE EXECUTIVE OFFICER, SREE MOOKAMBIKA KSHETHRAM, PALLIKKUNNU, KANNUR-4.
4. THE COMMISSIOER,. HR & CE (ADMN) DEPARTMENT KOZHIKODE.
5. DEPUTY COMMISSIOER,. HR & CE KOZHIKODE.

BY GOVERNMENT PLEADER SRI.BEJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 22/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.GIRI, J.

W.P.(C).No.32368 of 2007 C

Dated this the 22nd day of November, 2007.

JUDGMENT

The petitioner was appointed as Vazhipadu cum Office Clerk in Mookambika Temple Pallikkunnu, pursuant to Ext.P1 notification. Apparently, the petitioner was subjected to selection process including interview and it is thereafter that as per Ext.P3 he was appointed. Petitioner contends that the post was sanctioned by the Government as evidenced by Ext.P4. But, subsequently, the Executive Officer was suspended. Thereafter the petitioner was not paid his salary. By Ext.P6 order, petitioner's services were terminated. He filed an appeal, revision and a review. It is thereafter that he challenges Ext.P20 order before this court.

2. It is seen that petitioner has an efficacious alternate remedy in relation to Ext.P20 order under Section 99 of the Hindu Religious and Charitable Endowments Act before the Government. It is open to the Government as a revisional authority to pass appropriate interim order also pending revision.

3. In such circumstances, after having heard learned Government Pleader also, the writ petition is disposed of permitting the petitioner to file a revision against Ext.P20 before the Government. If a revision is filed within a period of eight weeks from today, the same shall be treated as filed within time and the Government shall, after hearing the affected parties, pass orders thereon.

4. In the circumstances of the case, first respondent is directed not to effect any permanent appointment to the post of Vazhipadu-cum-Office Clerk in the temple for a period of eight weeks from today. It is open to the petitioner to pray for interim order in the revision to be filed before the Government.

Petitioner shall produce a certified copy of this judgment before the first respondent for compliance.

Sd/-
(V.GIRI)
JUDGE

sk/

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P.S. To Judge